

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**ROBERT ROSS, et al.,  
Plaintiffs**

**Case No. 2:05-cv-00819  
(Lead Case)**

**v.**

**ABERCROMBIE & FITCH  
COMPANY, ET AL.,  
Defendants**

**JUDGE EDMUND A. SARGUS, JR.  
MAGISTRATE JUDGE TERENCE P. KEMP**


**ORDER**

The Court hereby **ORDERS** that the Opinion and Order filed on May 21, 2009 (the "Opinion") (Document 329) is hereby **AMENDED** as follows. On page 20 of the Opinion, the paragraph immediately preceding the header "(a)(1) Alleged Contradictions," is hereby deleted and replaced with the following paragraph:

Defendants contend that Plaintiff does not meet this requirement due to Defendants' potential unique defenses against Plaintiff's claims, including (1) alleged contradictions between the allegations and the circumstances of Plaintiff's stock purchases and (2) Plaintiff's alleged lack of "purchaser standing." (Defs.' Mem. Opp'n 15-24, 31-34.)

**IT IS SO ORDERED.**

7-8-2009  
**DATED**

  
**EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE**